

PHILLIP A. TALBERT  
United States Attorney  
MATHEW W. PILE, WSBN 32245  
Associate General Counsel  
Office of Program Litigation, Office 7  
Social Security Administration  
SHANNON FISHEL, GSBN 376604  
Special Assistant United States Attorney  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235  
Tel.: (212) 264-0534  
Email: Shannon.Fishel@ssa.gov  
Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

FRANCES BRENGAN,	)	Case No.: 2:22-cv-2208-AC
Plaintiff,	)	
vs.	)	MOTION AND <del>[PROPOSED]</del> ORDER FOR
COMMISSIONER OF SOCIAL SECURITY,	)	AN EXTENSION OF TIME
Defendant.	)	

The Commissioner respectfully requests that the time for Defendant to respond to Plaintiff's Motion for Summary Judgment be extended thirty (30) days from July 17, 2023, up to and including August 16, 2023. This is the Defendant's first request for an extension. Plaintiff previously received an extension of time for his brief. *See* ECF Doc. 13. Defendant requests this extension because she needs additional time to ensure that she can properly consider the lengthy record and Plaintiff's arguments and to determine whether possibilities for settlement exist. Since Plaintiff filed his motion on June 8, 2023, the undersigned counsel for Defendant has had deadlines in six district court cases and one circuit court case, along with three district court oral arguments. Additionally, the undersigned counsel for Defendant has taken several days of leave to attend to family matters.

1 The undersigned counsel respectfully apologizes to the Court for the short notice given  
2 by this motion. She mis-calendared the due date for the brief and only realized the mistake  
3 today. Although she contacted Plaintiff's counsel to seek a stipulation for the extension of time,  
4 counsel has not yet responded. The undersigned counsel will continue to follow up with  
5 Plaintiff's counsel and update the Court regarding counsel's position.

6  
7 Respectfully submitted,

8  
9 Dated: July 17, 2023


PHILLIP A. TALBERT  
United States Attorney  
MATHEW W. PILE  
Associate General Counsel  
Social Security Administration

10  
11  
12 By: /s/ Shannon Fishel  
SHANNON FISHEL  
Special Assistant U.S. Attorney  
Attorneys for Defendant

13  
14  
15  
16 **[PROPOSED] ORDER**

17 Pursuant to the Defendant's motion, IT IS SO ORDERED that Defendant shall have an  
18 extension, up to and including August 16, 2023, to respond to Plaintiff's Motion for Summary  
19 Judgment.

20  
21 DATED: July 18, 2023

22   
23 ALLISON CLAIRE  
24 UNITED STATES MAGISTRATE JUDGE  
25  
26  
27  
28